

HOUSE BILL No. 1574

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-23-14.5.

Synopsis: Mishawaka school board. Provides for, beginning with the May 2008 primary election, the election of school board members in Mishawaka, if approved by a majority of the voters in Mishawaka at the November 2007 municipal election. Provides that a candidate may run as: (1) a member of a major political party; (2) a member of a political party that is not a major political party; or (3) an independent.

Effective: July 1, 2007.

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January 23, 2007, read first time and referred to Committee on Elections and Apportionment.

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Introduced

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

HOUSE BILL No. 1574

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-23-14.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2007]:

4 **Chapter 14.5. Election of Governing Body Members in**
5 **Mishawaka**

6 **Sec. 1. In a school city established under IC 20-23-4 located in**
7 **a city having a population of more than forty-six thousand five**
8 **hundred (46,500) but less than fifty thousand (50,000), if the**
9 **majority of the voters at the municipal election held on November**
10 **6, 2007, vote in favor of an elected school board, the governing**
11 **body consists of a board of trustees of five (5) members elected in**
12 **the manner provided in this chapter.**

13 **Sec. 2. The term of a member of the governing body is four (4)**
14 **years, beginning on July 1 following the member's election. A**
15 **member may be reelected.**

16 **Sec. 3. Except as provided in this chapter, IC 3 applies to an**
17 **election under this chapter.**

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1 **Sec. 4. (a) Beginning with the primary election held on May 6,**
 2 **2008, and every four (4) years thereafter, three (3) members of the**
 3 **governing body shall be elected under this chapter.**

4 **(b) At the primary election, the three (3) candidates receiving**
 5 **the highest number of votes from all ballots cast are elected as**
 6 **members of the governing body.**

7 **Sec. 5. (a) Beginning with the primary election held on May 4,**
 8 **2010, and every four (4) years thereafter, two (2) members of the**
 9 **governing body shall be elected under this chapter.**

10 **(b) At the primary election, the two (2) candidates receiving the**
 11 **highest number of votes from all ballots cast are elected as**
 12 **members of the governing body.**

13 **Sec. 6. An individual may run for election to the governing body**
 14 **as:**

- 15 **(1) the candidate of a major political party (as defined in**
 16 **IC 3-5-2-30);**
- 17 **(2) the candidate of another political party; or**
- 18 **(3) an independent candidate.**

19 **Sec. 7. The circuit court clerk shall prepare a separate ballot to**
 20 **be used for governing body elections. Candidates shall appear on**
 21 **the ballot in alphabetical order, with each candidate's political**
 22 **party affiliation, if any, indicated.**

23 **SECTION 2. [EFFECTIVE JULY 1, 2007] (a) As used in this**
 24 **SECTION:**

- 25 **(1) "governing body" refers to the governing body of the**
 26 **school city; and**
- 27 **(2) "school city" refers to a school city described in**
 28 **IC 20-23-14.5-1(a), as added by this act.**

29 **(b) The terms of the incumbent members of the governing body**
 30 **expire June 30, 2008.**

31 **(c) Notwithstanding 20-23-14.5-4(a), as added by this act, five**
 32 **(5) members of the governing body shall be elected at the primary**
 33 **election held on May 6, 2008. Notwithstanding IC 20-23-14.5-2, the**
 34 **two (2) members of the governing body who receive the lowest**
 35 **number of votes serve a two (2) year term.**

36 **(d) This SECTION expires July 1, 2010.**

37 **SECTION 3. [EFFECTIVE JULY 1, 2007] (a) The circuit court**
 38 **clerk of St. Joseph County shall cause the following public question**
 39 **to be placed on the ballot in the school city of Mishawaka at the**
 40 **municipal election held on November 6, 2007:**

41 **"Shall the board of trustees of the school city of Mishawaka**
 42 **be elected, beginning with the May 6, 2008, primary**

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- 1 **election?"**.
- 2 **(b) IC 3 governs this SECTION.**
- 3 **(c) This SECTION expires July 1, 2008.**

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